

WASHINGTON COUNTY COMMISSION MEETING
MINUTES
MAY 5, 2009

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on May 5, 2009, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Commission Chairman James J. Eardley, Commissioner Dennis Drake, County Administrator Dean J. Cox, Deputy County Attorney David L. Patterson, and Deputy County Clerk Christine Hall. Commissioner Alan D. Gardner was excused, as he was attending to family business after his mother's passing.

The Spectrum was not represented at the meeting.

Commissioner Drake led the Pledge of Allegiance.

AGENDA

Commissioner Drake moved to amend the Agenda to reflect that there will be no Emergency Services Report today, but instead the Commission will be hearing a report from Linda Sappington of the Volunteer Center.

MOTION: Motion by Commissioner Drake to Amend the Agenda to Replace the Emergency Services Report with the Volunteer of the Month Report by Linda Sappington. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the regular agenda.

- Consideration of List of Auditor-Approved Claims for Payment for April 22, 2009, through May 5, 2009
- Consideration of Regular Commission Meeting Minutes of April 7, 2009
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Administrative Adjustments: Real Property / None
- Consideration of Applications for Settlement or Deferral of Property Taxes (6)
Gwyn and Connie Clarke, Account No. 115868, \$377.73; Randy Ennis, Account No. 225154, \$4,282.72; Grant Leeds Trust, Account No. 116858, \$3,840.31; Valerie P. Harward, Account No. 1662, \$1,285.14; Gary Knight, Account No. 255219, \$2,782.30; Vic and Carmen Valdez, Account No. 549546, \$4,850.36

- Consideration of Applications for Property Tax Abatement (4)
Billy Cox, Serial Number LV-ZVES-1-104; Joy Fountaine, Serial Number 8177-B-2-A-NW; Judith Gronski, Serial Number W-MOGS-3-41; Kevin Stanworth, Serial Number H-178
- Acknowledgment of Publishing of Ordinance No. 2009-969-0 on April 11, 2009, and Ordinance No. 2009-972-O on April 11, 2009
- Consideration of Application for Beer License / Kolob Market LLC

ACTIONS OF THE WASHINGTON COUNTY PLANNING COMMISSION MEETING /None

MOTION: Motion by Commissioner Drake to Approve Consent Agenda, as presented. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

VOLUNTEER OF THE MONTH / LINDA SAPPINGTON:

Volunteer Center Director Linda Sappington presented the Silver Bowl award recently bestowed in Salt Lake City by the Utah Commission on Volunteers, through the Lt. Governor's Office, to the twenty-six (26) members of the Volunteers in Public Safety group that functions through the St. George Police Department. This group handles clerical functions in the police department such as processing tickets, fingerprinting, filing, issuing handicap parking citations, serving civil subpoenas, serving at parades and other functions, entering citations, performing VIN inspections, payroll, and monitoring vehicle upkeep.

PURCHASE REQUEST(S) / MARK BLANCH

HCP, reclamation polygon monitoring \$ 6,400.00

MOTION: Motion by Commissioner Drake to Approve above Purchase Requests as presented. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

All purchases are budgeted, bonded, or paid for through grant funds.

PRESENTATION OF WASHINGTON COUNTY BUSINESS PATRIOT AWARDS TO COUGHLIN COMPANY, VIRACON, AND ALMQUIST LANDSCAPING / COMMISSIONER DRAKE

Commissioner Drake presented the Washington County Business Patriot award to Gil Almquist Landscaping. Mr. Almquist was present to accept his award and encouraged other local businesses to verify the legal status of their employees, as well. There were no representatives from Coughlin Company or Viracon in attendance, and those plaques will be delivered to those businesses.

PRESENTATION BY DAVID L. PATTERSON CONCERNING BICYCLE SAFETY

Deputy Washington County Attorney David L. Patterson presented a PowerPoint presentation concerning the laws pertaining to runners and bicyclists which is particularly relevant with the upcoming Ironman Triathlon event in May of 2010. Bicyclists are required by law to ride in the same direction as vehicular traffic, no greater than two (2) abreast. They should obey the same traffic laws as automobiles. Runners are to run against traffic, allowing them to observe oncoming traffic with greater attention. A copy of Mr. Patterson's presentation is available for review in the office of the Washington County Commission.

CONSIDERATION OF ORDINANCE NO. 2009-973-O, AN ORDINANCE AMENDING AND SUPERSEDING TITLE 2-1-5 G OF THE WASHINGTON COUNTY CODE (COUNCIL ON AGING REQUIREMENTS)

The Washington County Code was recently amended to permit the Council on Aging to hold meetings quarterly instead of nine times per year. This Ordinance further amends the Code to allow a member to miss one meeting per year.

MOTION: Motion by Commissioner Drake to Adopt Ordinance No. 2009-973-O, An Ordinance Amending And Superseding Title 2-1-5 G Of The Washington County Code (Council On Aging Requirements), as presented. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2009-1331, A RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT BETWEEN VAN ENTERPRISES CORPORATION AND WASHINGTON COUNTY TO CONSTRUCT TWO (2) ARENA ROOFS AT THE WASHINGTON COUNTY REGIONAL PARK

Regional Park Administrator Gerry Brown explained that this item refers to a cover on an existing building measuring two hundred and fifty feet (250') by one hundred and sixty feet (160') at the Regional Park.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2009-1331, A Resolution Approving The Execution Of An Agreement Between Van Enterprises Corporation And Washington County To Construct Two (2) Arena Roofs At The Washington County Regional Park , as presented. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2009-1333, A RESOLUTION APPROVING THE EXECUTION OF THE ZION CANYON CORRIDOR COUNCIL (ZC3) BYLAWS AND OPERATING PROCEDURES

This Council will work with Zion National Park and the areas around Zion Canyon. Washington County Planner Deon Goheen said that Zion Park Scenic Byway is petitioning for national scenic status and that all the communities along SR-9 will participate on this council.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2009-1333, A Resolution Approving The Execution Of The Zion Canyon Corridor Council (Zc3) Bylaws And Operating Procedures, and to Appoint Ron Whitehead as Washington County Representative to the Zion Canyon Corridor Council. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2009-1334, A RESOLUTION DESIGNATING AND APPOINTING ARTHUR L. PARTRIDGE AS WASHINGTON COUNTY'S REPRESENTATIVE TO THE MULTICOUNTY APPRAISAL TRUST

The MultiCounty Appraisal Trust (MCAT) is a subdivision of Utah Association of Counties (UAC) and will assist counties in phasing into a new software system statewide. The MCAT is an interlocal agreement between all twenty-nine (29) counties in Utah and is intended to assist them in developing a statewide computer appraisal system. This software system is already in place in Washington County; the County will now be reimbursed for its expenses in obtaining this system.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2009-1334, A Resolution Designating And Appointing Arthur L. Partridge As Washington County's Representative To The MultiCounty Appraisal Trust, as presented. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2009-1335, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, UTAH, CREATING THE SPECIALLY FUNDED TRANSPORTATION SPECIAL SERVICE DISTRICT

Chairman Eardley said that this matter has been in progress since last year, with public hearings and a comment/protest period having taken place. The Special Service District (SSD) board will now be established, which will receive special funding attached to Payment in Lieu of Taxes (PILT). The County will provide three hundred and thirty thousand dollars (\$330,000) to the school district and the same amount will be earmarked for the maintenance of certain roads in the unincorporated areas of the county. The SSD board will direct and prioritize that \$330,000 for use in the unincorporated areas of the County.

Melanie Abplanalp from the Clerk-Auditor's Office explained the requirements for people who wish to apply for these three (3) elected positions:

- Applicants must be United States citizens;
- Applicants must be registered voters in one of the unincorporated parts of the County; and
- Applicants must be residents of that unincorporated area for twelve (12) consecutive months prior to the election

Applications should be filed in the Washington County Clerk-Auditor's Office at any time between July 1 and July 15, 2009. There is no filing fee. Of the five (5) vacant positions on the SSD board, three (3) will be elected and two (2) appointed. Initially, all five (5) positions will be appointed by the County Commissioners until the election in September. The newly-elected board members will take office on January 1, 2010.

If more than six (6) people apply, the primary election on September 8, 2009, will eliminate all but the six (6) applicants who will then appear on the November ballot for the general election.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2009-1335, A Resolution Of The Board Of County Commissioners Of Washington County, Utah, Creating The Specially Funded Transportation Special Service District, as presented. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2009-1336, A RESOLUTION APPROVING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ST. GEORGE, THE CITY OF HURRICANE, AND

WASHINGTON COUNTY TO ALLOCATE FUNDS FROM THE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2009-1336, A Resolution Approving The Execution Of An Interlocal Agreement Between The City Of St. George, The City Of Hurricane, And Washington County To Allocate Funds From The Justice Assistance Grant (JAG) Program Award, as presented. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2009-1337, A RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT BETWEEN THE COLORADO PLATEAU ASSOCIATES AND WASHINGTON COUNTY, IN BEHALF OF THE WASHINGTON COUNTY HABITAT CONSERVATION PLAN (HCP) TO MONITOR RESTORATION IN THE RED CLIFFS DESERT RESERVE

Habitat Conservation Plan (HCP) Administrator Bob Sandberg explained that Colorado Plateau Associates is a consulting firm that will assist with mediation efforts and reclamation in the Reserve, monitoring various species to determine whether or how they are affected by damage in the Reserve. Approval of this agreement was recommended by the Habitat Conservation Advisory Committee.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2009-1337, A Resolution Approving The Execution Of An Agreement Between The Colorado Plateau Associates And Washington County, In Behalf Of The Washington County Habitat Conservation Plan (HCP) To Monitor Restoration In The Red Cliffs Desert Reserve, as presented. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2009-1338, A RESOLUTION APPROVING THE EXECUTION OF AN EQUIPMENT LEASE AGREEMENT AND AN EQUIPMENT SERVICE AGREEMENT BETWEEN WASHINGTON COUNTY, PRESTON DIGITAL SOLUTIONS, AND US BANK

Mr. Patterson clarified that the equipment lease agreement is with US Bank and the service agreement is with Preston Digital Solutions.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2009-1338, A Resolution Approving The Execution Of An Equipment Lease Agreement Between Washington County and US Bank And An

Equipment Service Agreement Between Washington County And Preston Digital Solutions, as presented. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

PUBLIC WORKS OR ROAD BUSINESS

No items were presented today.

COUNTY DEVELOPMENT AND PLANNING BUSINESS

County Administrator Dean Cox asked the Commission to appoint Jeff Dial to the State Interoperability Executive Committee (SIEC). Each regional council of government is given a seat on this committee, along with all counties of the first and second class. In consultation with the emergency responders throughout the County, Mr. Cox has determined that, as the Manager of the St. George Communications Dispatch Center, Mr. Dial would be a perfect choice to sit on this committee.

MOTION: Motion by Commissioner Drake to Appoint Jeff Dial as the Washington County Representative to the State Interoperability Executive Committee. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley and Drake voting aye.

Request an Executive Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:57 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN